IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

SECOND APPEAL NO. 936 OF 2004

Shamrao @ Narayan Vithu Kanase & Ors....Appellants.

Versus

Vishwas Dattatray Lad..... Respondent.

Mr.A.Y.Sakhare, Sr. Counsel with Ms. Varsha Palav for the Appellants.

None for the Respondent.

CORAM : ANOOP V. MOHTA, J.

DATED : 1ST DECEMBER, 2005.

P.C.:

Heard learned Counsel appearing for the appellants. Both the courts come to concurrent conclusion that the respondent-plaintiff has established his exclusive possession to the property in question based on the title, as on the date of the suit. It also came to the conclusion that the respondent has established the obstruction by the defendants/appellants. Base of this judgment and decree, whereby the suit was decreed, has remained in tact. There is no error on record to intervene with this finding whereby, the defendants are restrained

from disturbing peaceful possession of the plaintiff over the suit land. Second Appeal is, therefore, disposed of as there is no substantial question of law. Second Appeal is dismissed.

Sd/-

(ANOOP V. MOHTA,J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO. 1115 OF 2004

IN

SECOND APPEAL NO. 936 OF 2004

Shamrao @ Narayan Vithu Kanase & Ors....Appellants.

Versus

Vishwas Dattatray Lad..... Respondent.

Mr.A.Y.Sakhare, Sr. Counsel with Ms. Varsha Palav for the Appellants.

None for the Respondent.

CORAM : ANOOP V. MOHTA, J.

DATED : 1ST DECEMBER, 2005.

P.C.:

In view of the order passed in the Second Appeal, this civil application is also disposed of.

Sd/-

(ANOOP V. MOHTA,J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO. 1114 OF 2004

IN

SECOND APPEAL NO. 936 OF 2004

Shamrao @ Narayan Vithu Kanase & Ors....Appellants.

Versus

Vishwas Dattatray Lad..... Respondent.

Mr.A.Y.Sakhare, Sr. Counsel with Ms. Varsha Palav for the Appellants.

None for the Respondent.

CORAM : ANOOP V. MOHTA, J.

DATED : 1ST DECEMBER, 2005.

P.C.:

In view of the order passed in the Second Appeal, this civil application does not survive. This civil application is disposed of, accordingly.

Sd/-

(ANOOP V. MOHTA,J.)